

04/18/13-2.

# policy

BOARD OF EDUCATION  
FOREST HILLS PUBLIC SCHOOLS

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## HARASSMENT OF STUDENTS

Harassment of students is prohibited, and will not be tolerated. This includes inappropriate conduct by other students as well as any other person in the school environment, including employees, Board members, parents, guests, contractors, vendors and volunteers. It is the policy of the District to provide a safe and nurturing educational environment for all of its students. This policy applies to all activities on school property and to all school sponsored activities whether on or off school property.

Harassment is defined as inappropriate conduct that is repeated enough, or serious enough, to negatively impact a student's educational, physical or emotional well-being. This would include harassment based on any of the legally protected characteristics, such as sex, race, color, national origin, religion, height, weight, marital status or disability. This policy, however, is not limited to these legal categories and includes any harassment that would negatively impact students. This would include such activities as stalking, name-calling, taunting, and other disruptive behaviors.

Harassment through any means, including electronically transmitted methods (e.g., internet, telephone or cell phone, personal digital assistant (PDA), computer or wireless hand held device), may be subject to District disciplinary procedures. Such behavior is considered harassment whether it takes place on or off school property, at any school-sponsored function, or in a school vehicle if it is considered to have a negative impact on the school environment.

Any student that believes s/he has been or is the victim of harassment should immediately report the situation to the teacher, the principal or assistant principal, or may report it directly to the Assistant Superintendent for Human Resources (District Compliance Officer). Complaints will be investigated in accordance with AG 5517.

Every student should, and every staff member **must** report any situation that they believe to be improper harassment of a student. Reports may be made to those identified above.

If the investigation finds harassment occurred it will result in prompt and appropriate remedial action. This may include up to expulsion for students, up to discharge for employee, exclusion for parents, guests, volunteers and contractors, and removal from any officer position and/or a request to resign for Board members.

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Retaliation against any person for complaining about harassment, or participating in a harassment investigation, is prohibited. Suspected retaliation should be reported in the same manner as harassment. Intentionally false harassment reports, made to get someone in trouble, are also prohibited. Retaliation and intentionally false reports may result in disciplinary action as indicated above.

The following definitions are provided for guidance only. If a student or other individual believes there has been harassment, regardless of whether it fits a particular definition, s/he should report it and allow the administration to determine the appropriate course of action.

## **Harassment**

- A. submission to such unwelcomed conduct or communication is made either an explicit or implicit condition of utilizing or benefiting from the services, activities, or programs of the School District;
- B. submission to, or rejection of, the unwelcomed conduct or communication is used as the basis for a decision to exclude, expel, or limit the harassed student in the terms, conditions, or privileges of the School District;
- C. the unwelcomed conduct or communication interferes with the student's education, creates an intimidating, hostile or offensive environment, or otherwise adversely affects the student's educational opportunities. This may include racial slurs, mocking behavior, or other demeaning comments.

**Sexual Harassment** may include, but is not limited to:

- A. verbal harassment or abuse;
- B. pressure for sexual activity;
- C. repeated remarks with sexual or demeaning implications;
- D. unwelcome touching;

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- E. sexual jokes, posters, cartoons, etc.;
- F. suggesting or demanding sexual involvement, accompanied by implied or explicit threats concerning one's grades, safety, job, or performance of public duties.

**Note: Any administrator, teacher, coach, other school authority who engages in sexual or other inappropriate physical contact with a student may be guilty of criminal "child abuse" as defined in State law. M. C. L. A. 722.621 et. seq.**

## **Confidentiality**

Every reasonable effort will be made to maintain confidentiality during the investigation process. However, a proper investigation will, in some circumstances, require the disclosure of names and allegations.

## **Notification**

Notice of this policy will be **annually** circulated to all school buildings and departments within the District and discussed with students, as well as incorporated into the teacher, student and parent/guardian handbooks. State and Federal rights posters on discrimination and harassment shall also be posted at each building. All new hires of the District will be required to review and sign off on this policy and the related complaint procedure.

Titles VI and VII of the Civil Rights Act of 1964, 42 U.S.C. 2000d et seq.  
42 U.S.C. 2000e et seq.

Title IX of the Educational Amendments of 1972, 20 U.S.C. 1681 et seq.

Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794

The Americans with Disabilities Act of 1990, 42 U.S.C. 12101 et seq.

The Handicappers' Civil Rights Act, M.C.L.A. 37.1101 et seq.

The Elliott-Larsen Civil Rights Act, M.C.L.A. 37.2101, et seq.

Child Protection Act, M.C.L.A. 722.621 et seq.

Policies on Bullying, Michigan State Board of Education, 7-19-01

Model Anti-Bullying Policy, Michigan State Board of Education, 09-2006

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